## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

MP GLOBAL PRODUCTS, LLC, a Nebraska Limited Liability Company,	)
Nobraska Elillica Elability Company,	<b>/</b>
Plaintiff,	)
·	) 8:05CV165
vs.	)
	) AMENDED FINAL
OLD WORLD STONE IMPORTS, LLC,	) PROGRESSION ORDER
a Utah Limited Liability Company,	)
Defendant.	) )

For good cause shown,

**IT IS ORDERED** that the parties' JOINT MOTION TO AMEND PROGRESSION ORDER [34] is granted, and the Final Progression Order [31] is amended as follows:

- 1. **Discovery Deadline** (including depositions and written discovery): March 2, 2007.
- 2. Deadlines for Disclosure of Experts:
  - a) Plaintiff's Deadline: November 1, 2006
  - b) **Defendant's Deadline:** December 4, 2006
- 3. **Pretrial Disclosures:** Pursuant to Fed. R. Civ. P. 26(a)(3), each party shall provide to all other parties the following information regarding the evidence that it may present at trial other than solely for impeachment purposes as soon as practicable but no later than the date specified:
  - a) Nonexpert Witnesses: March 20, 2007
  - b) **Deposition Testimony and Discovery:** March 20, 2007
  - c) Trial Exhibits: March 20, 2007
  - d) Waiver of Objections: Any objections to the use of witnesses, depositions, designations, discovery responses, or exhibits shall be listed in the pretrial order. Failure to list objections (except those under Fed. R. Evid. 402 and 403) shall be deemed waived, unless excused by the Court for good cause shown.

e) **Filing of Disclosures:** The filing of pretrial disclosures required by Fed. R. Civ.P. 26(a)(3) shall be deemed filed at the time of the filing of the Order on Final Pretrial Conference in this matter.

## 4. Motions in Limine:

- a) Daubert Motions shall be file on or before April 30, 2007.
- b) Any other Motions in Limine shall be filed on or before April 30, 2007.
- 5. **Deadline for Dispositive Motions:** February 9, 2007.
- 6. The Final Pretrial Conference will be held on April 9, 2007 at 10:00 a.m. The final pretrial conference shall be attended by lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2. By the time of the pretrial conference, full preparation for trial shall be made so that trial may begin at any time during the session indicated below.
- 7. A **Non-jury Trial** is to commence on **May 15, 2006 at 8:30 a.m.** in Omaha, Nebraska, before the Honorable Laurie Smith Camp.
- 8. On or before **March 20, 2007** the parties shall provide a status report regarding settlement negotiations. The report shall be in the form of a letter to the court from the Plaintiff on behalf of all of the parties.
- 9. **Motions to Alter Dates.** All requests for changes of date setting shall be directed to the undersigned magistrate judge by appropriate motion.

DATED September 11, 2006.

**BY THE COURT:** 

s/ F.A. Gossett United States Magistrate Judge